



State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-2982



February 2004

Crosswoods Building Co., LLC  
374 Cairn Ridge Road  
East Falmouth, Massachusetts 02536

LETTER OF DEFICIENCY  
WD WQE 04-01

Re: Beechwoods Condominiums at Intervale, Bartlett, NH  
Lot Nos. 218R00 and 010L00, Town of Bartlett Tax Map Nos. 1RT16A and 1DNDRD,  
respectively

Dear Sir or Madam:

In response to a report from the New Hampshire Department of Transportation, personnel from the Department of Environmental Services ("DES") conducted an inspection on the subject property on January 30, 2004. The purpose of this inspection was to determine compliance with RSA 485-A:17, RSA 482-A and applicable rules promulgated pursuant thereto. During the inspection, the following deficiencies were documented:

1. Terrain had been altered to construct an access road for Beechwoods Condominiums at Intervale ("Beechwoods"). The proposed disturbance for construction of the road(s) and development of the condominiums will exceed 100,000 square feet.
2. Alteration of terrain that will exceed 100,000 square feet requires a Site Specific Permit ("Permit") prior to commencement of the activities. The subject disturbance had occurred before a Permit was issued.
3. Adequate temporary and permanent erosion and sediment control best management practices ("BMP's") had not been installed for the disturbed areas.
4. The disturbed areas had not been stabilized
5. The road had eroded.
6. Water from the disturbed areas had been directed into a ditch that runs along an existing driveway. This ditch drains to a catch basin(s) on Route 16A. Reportedly, the flow from the disturbed areas caused flooding to State of New Hampshire property on and along Route 16A.

DES believes that the cited deficiencies can be resolved by

Submitting an erosion control and stabilization plan ("EC&SP") to DES for comment by February 28, 2004. The EC&SP should include:

- a. The BMP's (with details) that will be used to correct Deficiency Nos. 3-6, and
- b. A proposed schedule for implementation of the BMP's.

2. Obtaining a Site Specific Permit **prior to** performing additional alteration of terrain on the site, except as needed to implement the EC&SP.
3. Engaging the services of either a Certified Professional in Erosion and Sediment Control **or** a PE licensed in the State of New Hampshire ("Consultant") to oversee the implementation of EC&SP. The Consultant should:
  - a. Provide technical assistance and recommendations to the contractor(s) regarding the appropriate placement and construction of BMP's for erosion and sediment controls, site stabilization and drainage management, and
  - b. Notify the DES Site Specific Program **in writing within 48 hours** of full implementation of the EC&SP.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A and 485-A:17 may result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Department of Environmental Services  
Site Specific Program  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095  
Attn.: Denise Frappier

Should you have any questions regarding this letter, please contact Denise Frappier at 466-5910.

Very truly yours,

  
**COPY**  
Ridgely Matuck, PE  
Land Resources Management Program

RAM/DMF/rb

CERTIFIED MAIL, RRR# 7099 3400 0003 0688 0245

cc: **Mark Harbaugh, DES Enforcement Attorney**

Russell A. Nylander, PE-WD/DES  
Denise M. Frappier-WQE/WD/DES  
Bartlett Board of Selectmen  
Bartlett Planning Board  
Provan & Lorber, Inc.  
Leon H. Geil, PE – District One/ NHDOT